

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Part 74 of the Commission's)	MB Docket No. 18-119
Rules Regarding FM Translator Interference)	

To: The Commission

**COMMENTS
OF
COASTAL BROADCASTING SYSTEMS, INC.**

Coastal Broadcasting Systems, Inc. ("Coastal"), by Counsel, and pursuant to the *Notice of Proposed Rulemaking ("NPRM"), FCC 18-60 (released May 10, 2018)* submits these Comments in opposition to certain elements of the proposal to streamline the FCC's rules and procedures relating to interference caused by FM translators. Coastal is the licensee of Radio Stations WCZT-FM at Villas, New Jersey and WJSE-FM at North Cape May, New Jersey. Coastal's radio stations provide service as far as 45 miles north into Atlantic City, New Jersey. And Coastal has numerous advertisers from the Atlantic City radio market. Should the FCC adopt some of the proposals outlined in this proceeding, Coastal will lose a significant number of listeners and advertisers.

Coastal understands the motivation behind this rulemaking in light of the AM Revitalization efforts but the FCC's efforts to revitalize the AM radio service should not concomitantly degrade the FM radio service. If all the rules and policies proposed in this proceeding are adopted, the demise of the FM radio service will occur.

Under the current rules, FM translators are required to protect both full service and first

in line licensed secondary facilities to not just their respective protected class contour but also to the extent of these stations' "listenable signal." The listenable signal of Coastal's radio stations extend 45 to 50 miles north. Attached please find a letter-statement from Robert J. Maschio, President of Coastal, regarding the listenership and income derived from the fringe service area of Coastal's radio stations. In this instance, where the local economy is largely fueled by seasonal beach tourism, the loss of fringe listeners and advertising revenue would be devastating.

While there may be situations where an FM translator is limited by its interference with a full power FM station beyond the 54 dBu contour of the full power FM station, a change to the rules would expose each full power FM station to further erosion of its audience. Terrestrial radio is already beleaguered by online music services, youtube and podcasts that have caused many people to migrate away from the FM radio band. Along with these new trends we have seen considerable sponsorship dollars move away from terrestrial broadcasting to online broadcasting.

For example, listeners to National Public Radio stations are aging faster than the overall radio audience and listening less to the network's most popular radio programs according to data shared by the NPR Network. Though NPR is seeing some listening gains on digital platforms, particularly with podcasts, its broadcast audience has dropped. Average-quarter-hour listening during morning drive time dropped 11 percent from 2011 to 2015, and afternoon drive audience declined 6 percent. The only age bracket that increased during that time was the 65-plus audience. *See, Current, "Drop in younger listeners makes dent in NPR news audience," October 16, 2015.* About 50% of Americans now listen to online radio. *See, Radio & Internet News, www.rainnews.com, March 11, 2016.*

Coastal believes that, to provide a level of administrative certainty to these types of proceedings, there should be a full-power station field strength value beyond which no complaint of actual or predicted interference will be considered actionable but the 54 dBu value is not appropriate for this cutoff point. Since Coastal has numerous regular listeners well beyond the 54 dBu contour of each of its FM radio stations, we believe that a lower value field strength would be more appropriate than the 54 dBu as a cutoff for interference complaints.

New technologies and changing listener habits are challenging enough to traditional terrestrial broadcasting. We do not need to be taking any action that further contributes to the degradation of the FM radio service. A careful balance needs to be achieved.

FM translator stations have always been licensed on a secondary basis, and they should continue to be licensed that way. FM translator stations should not be provided equal or near-equal status to full power FM radio stations as the regulatory obligations for an FM translator station license will remain much less burdensome than a full power FM radio station license. There must be reasonable limits. We cannot rob Paul to pay Peter, but that is exactly what is proposed here as the efforts here to help the FM translator service will degrade the full power FM radio service.

In the NPRM the Commission states “we believe that it is necessary to consider how best to balance our enduring interest in maintaining the technical integrity of our FM services with our desire to promote greater certainty and stability for translator licensees.” See, *NPRM at para. 27*. Coastal believes that such balancing should not include any geographical limit on where a full power FM station has listeners that live, work or drive, or where the full power FM station derives advertising revenue. Therefore, the protected zone for full power FM radio stations must go beyond the 54 dBu contour.

This proceeding should focus on the heart of the complaint process. If the Commission were to adopt the more stringent and standardized content requirements for a listener complaint and a minimum number of listener complaints that must support an interference complaint then an adequate balance will have been achieved without the need for an unreasonable outer contour limit.

Since one of the goals in this proceeding is to provide more certainty and efficiency to FM translator interference proceedings then a significant step in that direction would be for the FCC to create what it believes is a model interference complaint questionnaire to be used FM translator interference proceedings. Presently the FCC relies upon broadcasters to elicit such information and often those questionnaires vary widely from case to case. A standardized form would not only elicit exactly the type of information the FCC requires but it would also reduce the gamesmanship that accompanies these proceedings. The standardized form would need to be sworn to under the penalty of perjury, and possibly executed in the presence of a Notary to ensure the legitimacy of each complainant.

The use of a standardized form released by the FCC would also serve to show each listener complainant that their responses would definitely be scrutinized by a federal agency, and that their continued cooperation would be necessary. This would separate the genuine complainant who seriously wants these matters resolved from the casual complainant who may not really care but nonetheless loaned their name to the effort with no desire to follow up, if necessary.

Heading off a drawn-out and often expensive interference complaint proceeding is to the benefit of all involved parties, especially with regard to the scarce resources of the FCC. Costs to prosecute translator interference claims can result in thousands of dollars of legal and

engineering fees. The use of a standardized complaint form would streamline the process and reduce the overall expenses of all involved parties.

Finally, Coastal agrees with the aspect of the proposal that in response to an interference complaint an FM translator station should be allowed to modify anywhere on the FM dial and still be considered a minor change application. The routine acceptance of these types of displacement modification applications would certainly facilitate the resolution of many FM translator interference complaints.

Respectfully submitted,

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To Whom It May Concern,

Coastal Broadcasting Systems, Inc. owns and operates two full-time FM radio stations in southern New Jersey, located adjacent to the New Jersey coastline. The two radio stations operated by our company are WCZT-FM 98.7 and WJSE 106.3. Coastal Broadcasting Systems offers this letter as official opposition to MB Docket number 18-119. This submission is made in accordance with the provisions for public comment.

We believe that additional limitations on broadcast fringe areas for traditional full power FM radio signals will have unintended consequences that will wind up hurting the broadcast industry and not helping it. We agree that traditional AM radio stations need a greater presence and awareness in the broadcasting world, but this is not a technical issue, rather than a programming issue. Some markets are underserved with specific programming that could generate substantial audiences and revenue. The AM stations have a license for a certain reach; they are now often buffeted by FM translators, and it is our position that is justified as practical.

To further infringe on the broadcast reach of traditional FM radio stations will create undue and unnecessary hardship on these license holders, including Coastal Broadcasting Systems. Here is a market-specific example. To restrict the reach of WCZT and WJSE into our fringe markets, we will lose a great deal of listenership and income. We have additional listeners and revenue coming from what is considered our fringe area of downtown Atlantic City and other populated areas. If we no longer have the reach, we lose the revenue. Stations who are in small markets, and with seasonal challenges like our market, may be extinguished. We have essentially six months out of the year to stay in business for the next year, and much of that revenue in the fringe areas is directly tied to the seasonal economy of the Jersey Shore.

Robert J Maschio

Owner/Operator WCZT-FM, WJSE-FM

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